

Message Text

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PAGE 01 STATE 095689
ORIGIN EB-08

INFO OCT-01 ARA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 TRSE-00
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-----004223 140406Z /61
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FM SECSTATE WASHDC
TO AMEMBASSY BOGOTA PRIORITY

C O N F I D E N T I A L STATE 095689

E.O. 11652: GDS

TAGS: EAIR, CO

SUBJECT: CIVAIR: AIRLINE APPLICATIONS

REF: BOGOTA 3237

1. DEPARTMENT APPRECIATES EMBASSY'S CONCERNS. CONCERN EXPRESSED BY BRANIFF RELATES NOT ONLY TO GOC ACTION ON BRANIFF APPLICATION TO CARRY LOCAL TRAFFIC ON ITS BA AND SANTIAGO FLIGHTS BUT ALSO TO UPCOMING BRANIFF APPLICATION TO OPERATE TO BOGOTA FROM TEXAS VIA MEXICO CITY (RIGHTS WHICH WERE OBTAINED IN RECENT US-MEXICO AGREEMENT). WHILE DEPARTMENT NOT ABLE ASSESS WHETHER COLOMBIANS LIKELY BE DIFFICULT OVER BRANIFF'S MEXICO CITY SERVICE, BRANIFF IS CONVINCED THIS IS DISTINCT PROBABILITY.

2. WE RECOGNIZE THAT CONTINUING TO PLAY GAME OF MUTUAL PERMIT WITHHOLDING CANNOT GO ON FOREVER. MOREOVER, IN
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THIS INSTANCE, TIMING AND RELATIVE INTEREST ARE NOT ON OUR SIDE. WE UNDERSTAND THAT AVIANCA DOES NOT HAVE FIRM PLANS TO BEGIN SAN JUAN-LONDON SERVICE AND THEREFORE WOULD NOT BE PENALIZED IF ITS US PERMIT IS FURTHER DELAYED. BRANIFF, HOWEVER, DOES WANT TO BEGIN SERVICE VIA MEXICO CITY IN JUNE. IT CANNOT APPLY TO COLOMBIANS, HOWEVER, UNTIL CAB ISSUES AND PRESIDENT APPROVES NECESSARY

AUTHORIZATION, WHICH NOT LIKELY BEFORE MID-MAY AT EARLIEST. THUS, IF WE HOLD UP AVIANCA PERMIT FURTHER, WE MAY HAVE NO REAL LEVERAGE AND MAY ONLY GIVE COLOMBIA EXCUSE TO DELAY ISSUANCE BRANIFF'S PERMIT. BRANIFF NOW CONCURS IN THIS ASSESSMENT.

3. IN VIEW FOREGOING, DEPARTMENT HAS RECOMMENDED THROUGH OMB PROMPT APPROVAL BY PRESIDENT OF CAB DECISION TO ISSUE PERMIT TO AVIANCA.

4. DEPARTMENT SUGGESTS EMBASSY ADVISE COLOMBIANS OF ACTION DEPARTMENT HAS TAKEN PARA 3 ABOVE. IN ADDITION, AND HOPEFULLY TRADING ON THIS ACTION, EMBASSY SHOULD AGAIN URGE EARLY ACTION ON BRANIFF'S APPLICATION. IT SHOULD SPECIFICALLY NOTE THAT, SINCE CAB DID NOT REQUIRE HEARING ON AVIANCA'S APPLICATION, RECIPROCITY AND COMITY WOULD SUGGEST COLOMBIANS ALSO FOREGO HEARING PROCEDURE. FYI. WHILE WE ARE DOUBTFUL COLOMBIANS WILL FOREGO HEARING, CONTINUED EXPRESSIONS OF EMBASSY'S CONCERNS SHOULD FACILITATE EARLY ACTION ON BRANIFF APPLICATION AND POSTURE EMBASSY TO INTERVENE AGAIN IF BRANIFF'S SUBSEQUENT APPLICATION FOR MEXICO CITY ROUTE IS UNDULY DELAYED. END FYI. CHRISTOPHER

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